

**455B.307 Dumping — where prohibited — penalty.**

1. A private agency or public agency shall not dump or deposit or permit the dumping or depositing of any solid waste at any place other than a sanitary disposal project approved by the director unless the agency has been granted a permit by the department which allows the dumping or depositing of solid waste on land owned or leased by the agency. The department shall adopt rules regarding the permitting of this activity which shall provide that the public interest is best served, but which may be based upon criteria less stringent than those regulating a public sanitary disposal project provided that the rules adopted meet the groundwater protection goal specified in [section 455E.4](#). The comprehensive plans for these facilities may be varied in consideration of the types of sanitary disposal practices, hydrologic and geologic conditions, construction and operations characteristics, and volumes and types of waste handled at the disposal site. The director may issue temporary permits for dumping or disposal of solid waste at disposal sites for which an application for a permit to operate a sanitary disposal project has been made and which have not met all of the requirements of [this part 1 of subchapter IV](#) and the rules adopted by the commission if a compliance schedule has been submitted by the applicant specifying how and when the applicant will meet the requirements for an operational sanitary disposal project and the director determines the public interest will be best served by granting such temporary permit.

2. The director may issue any order necessary to secure compliance with or prevent a violation of the provisions of [this part 1 of subchapter IV](#) or the rules adopted pursuant to [this part](#). The attorney general shall, on request of the department, institute any legal proceedings necessary in obtaining compliance with an order of the commission or the director or prosecuting any person for a violation of the provisions of [this part](#) or rules issued pursuant to [this part](#).

3. Any person who violates any provision of [this part 1 of subchapter IV](#) or any rule or any order adopted or the conditions of any permit or order issued pursuant to [this part 1 of subchapter IV](#) shall be subject to a civil penalty, not to exceed five thousand dollars for each day of such violation.

[C71, §406.9; C73, 75, 77, 79, 81, §455B.82]

C83, §455B.307

[86 Acts, ch 1245, §1899](#); [87 Acts, ch 225, §415](#); [88 Acts, ch 1169, §5](#); [89 Acts, ch 281, §1](#); [2021 Acts, ch 76, §101](#); [2021 Acts, ch 80, §285](#); [2021 Acts, ch 174, §22](#)

Referred to in [§455B.304](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Section amended